

COUNTY OF SAN LUIS OBISPO DEPARTMENT OF PLANNING AND BUILDING STAFF REPORT

PLANNING COMMISSION

Promoting the wise use of land Helping build great communities 21

MEETING DATE September 8, 2005 CONTACT/PHONE Stephanie Fuhs (805) 781-5721 APPLICANT
Cathline Benson

FILE NO. TRACT 2643 SUB2004-00211

SUBJECT

Hearing to consider a request by Cathline Benson for a Vesting Tentative Tract Map (Tract 2643) to subdivide an existing 1.2 acre parcel into five parcels of 10,000 square feet each for the purpose of sale and/or development. The project includes off-site road improvements to Blume and Grande Streets. The project will result in the disturbance of the entire 1.2 acre parcel. The proposed project is within the Residential Single Family land use category and is located on the southwestern corner of Grande and Blume Streets in the community of Nipomo. The site is in the South County (Inland) planning area.

RECOMMENDED ACTION

- 1. Adopt the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq.
- Approve Vesting Tentative Tract 2643 based on the findings listed in Exhibit A and the conditions listed in Exhibit B

ENVIRONMENTAL DETERMINATION

The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on July 22, 2005 for this project. Mitigation measures are proposed to address Agricultural Resources, Air Quality, Geology and Soils, Noise, Public Services and Utilities, Recreation and Water and are included as conditions of approval.

| LAND USE CATEGORY | | | | |
|---------------------------|--|--|--|--|
| Residential Single Family | | | | |

COMBINING DESIGNATION None

ASSESSOR PARCEL NUMBER 092,141,018

SUPERVISOR DISTRICT(S)

PLANNING AREA STANDARDS:

22.112.080 – Nipomo Urban Area Standards

LAND USE ORDINANCE STANDARDS:

22.22.080.- Subdivison Design Standards for the Residential Single Family Land Use Category

EXISTING USES:

Single family residence

SURROUNDING LAND USE CATEGORIES AND USES:

North: Residential Multi-Family/apartments

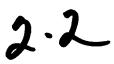
South: Residential Single Family/Residences

East: Agriculture/greenhouses

West: Residential Single Family/Residences

ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT:

COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242



| OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Nipomo Community Advisory Council, Public Works, Environmental Health, Commissioner, County Parks, CDF, Nipomo Community Services District, APCD, Regional Water Quality Control Board | | | | |
|--|---------------------------------------|--|--|--|
| тородгарну: Nearly level to gently sloping | VEGETATION: Grasses | | | |
| PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: CDF | ACCEPTANCE DATE: February 15, 2005 | | | |

ORDINANCE COMPLIANCE:

Minimum Parcel Size

22.22.080 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Single Family land use category. The standards are based on the type of access serving the property, the topography of the site, and the type of water supply and sewage disposal. Minimum parcel size is based on the largest parcel size as calculated by tests. The proposed parcels meet all requirements for 10,000 square foot parcels as follows:

| TEST | STANDARD | MINIMUM PARCEL SIZE |
|--|------------------------------------|---------------------|
| Access | Located on a collector street | 10,000 square feet |
| Slope | Average slope is between 0 and 15% | 6,000 square feet |
| Water Supply and Sewage Disposal | Community Water Community sewer | 6,000 square feet |

Quimby Fees

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

Affordable Housing Fees

Sections 18.07 et. seq of Title 18 of the County Code establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

Design Standards

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

PLANNING AREA STANDARDS:

 $22.112.080 - Nipomo\ Urban\ Area\ Standards$: Community-wide - (A)(2) - All streets outside of the central business district require an offer of dedication for a minimum 8-foot parkway between the curb and sidewalk with landscaping improvements including at least one street tree per 50 feet of frontage and lawn or low-maintenance plants. As conditioned, the project complies with this standard. (A)(4) - A drainage plan is required for the project site. As conditioned, the project meets this standard.

ENVIRONMENTAL DETERMINATION: The Mitigated Negative Declaration has proposed mitigation measures for agricultural resources, air quality, geology and soils, noise and water. Based on the referral response from the Agricultural Commissioners office, there was some concern regarding the proximity of the project to the existing greenhouse operation relative to noise, dust and pesticide use. Proposed agricultural buffers, a sound wall and landscape screening are being required as mitigation and are included as conditions of approval for the project. Dust control measures are proposed to address air quality concerns. Because the project will result in site disturbance of over an acre, a Stormwater Pollution Prevention Plan is required to address geology and soils issues. Water conservation measures are also included to minimize the amount of water consumed with the construction of the residences in the form of drought tolerant landscaping and low water using appliances and fixtures.

STAFF COMMENTS: The proposed lotting pattern is similar to the existing pattern in the area and will allow for the construction of single family residences consistent with the Residential Single Family land use category.

COMMUNITY ADVISORY GROUP COMMENTS: The advisory council supported the project at their January 31, 2005 meeting contingent on adequate sidewalks and trails being constructed.

AGENCY REVIEW:

Public Works – Supports with conditions

Environmental Health – Require stock conditions of approval for community water and sewer Aq Commissioner – Require buffers and soundwalls

County Parks – Require A-1(x) trail along Grande Avenue frontage, Quimby and Building Division fees

CDF – See attached fire safety plan

Nipomo Community Services District – Issued "intent to serve" letter, need final will-serve prior to map recordation

APCD - No comments received

LEGAL LOT STATUS:

The one lot was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Stephanie Fuhs and reviewed by Kami Griffin, Supervising Planner

FINDINGS - EXHIBIT A

Environmental Determination

A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on July 22, 2005 for this project. Mitigation measures are proposed to address Agricultural Resources, Air Quality, Geology and Soils, Noise, Public Services and Utilities, Recreation and Water and are included as conditions of approval.

Tentative Map

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Single Family land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because the required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of single family residences and accessory structures.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support single family residences and accessory structures.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the project is located in an urbanized area that does not contain significant fish or wildlife habitats.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- 1. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.



EXHIBIT B

CONDITIONS OF APPROVAL FOR TRACT 2643 (BENSON)

Approved Project

1. A Vesting Tentative Tract Map (Tract 2643) to subdivide an existing 1.2 acre parcel into five parcels of 10,000 square feet each for the purpose of sale and/or development.

Access and Improvements

- 2. Roads and/or streets to be constructed to the following standards:
 - a. Blume Street and Grande Avenue widened to complete an A-2 section fronting the property, including parkways as shown on typical section on the tentative map.
 - b. A trail along the Grande Avenue frontage to the County's A-1(x) standard.
- 3. The applicant offer for dedication to the public by certificate on the map or by separate document:
 - a. A 20 foot radius property line return at the intersection of Blume Street and Grande Avenue.
- 4. A private easement be reserved on the map for access to lot 5.
- 5. All grading shall be done in accordance with Appendix 33 of the Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

Improvement Plans

- 6. Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Water plan (County Health).
 - d. Sewer plan (County Health).
 - e. Grading and erosion control plan for subdivision related improvement locations.
 - f. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
 - g. Landscaped parkway in accordance with Section 22.112.080(A)(2) of the Land Use Ordinance.



- 7. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
- 8. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

Drainage

- 9. Submit complete drainage calculations to the Department of Public Works for review and approval.
- 10. If calculations so indicate, drainage must be retained in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.
- 11. If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
 - a. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.
- 12. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program.

Utilities

- 13. Electric and telephone lines shall be installed underground.
- 14. Cable T.V. conduits shall be installed in the street.
- 15. Gas lines shall be installed.

Fire Protection

16. The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map per CDF letter dated January 13, 2005.

Parks and Recreation (Quimby) Fees

17. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.



Affordable Housing Fee

18. Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

Landscape Plans

- 19. If a drainage basin is required, then submit detailed landscaping plans in compliance with Chapter 22.16/Section 23.04.180 et seq. to the Department of Planning and Building for review and approval prior to filing of the final parcel or tract map. Said plans to include location, species, size, and method of maintenance of all proposed plant materials. All proposed plant materials shall be of a drought tolerant variety and be sized to provide a mature appearance within three years of installation. Plan to include:
 - a. Drainage basin fencing, if the basin is fenced.
 - b. Drainage basin perimeter landscape screening, if the basin is fenced.
 - c. Landscaping for erosion control.
- 20. All approved landscaping shall be installed or bonded for prior to filing of the final parcel or tract map and thereafter maintained in a viable condition on a continuing basis. If bonded for, landscaping shall be installed within 90 days of completion of the improvements.

Additional Map Sheet

- 21. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
 - a. That the owner(s) of lot(s) 1-5 are responsible for on-going maintenance of drainage basin fencing in perpetuity, if the basins are fenced.
 - b. That the owner(s) of lot(s) 1-5 are responsible for on-going maintenance of drainage basin/adjacent landscaping in a viable condition on a continuing basis into perpetuity.

Agricultural Resources

- c. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded, and supplemental disclosure concerning the nature of the neighboring agricultural activities and hours of operation.
- d. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
- e. An agricultural buffer of 150 feet for Parcels 1 through 4 from the western edge of the nursery's dirt access road, **shall be shown on an additional map sheet**. This would result in a setback for residences of approximately 75 feet from the front property line. The buffer applies to future residential homes. The buffer is not intended to restrict other appropriate land uses such as detention basins or other uses that are not for human occupancy.

Parcel 4 option: In order to decrease the buffer required above, the applicant shall construct a 4-6 foot solid block wall (not a wood fence) at or behind the 25-foot front setback line. The wall shall continue along the entire width of the property with the exception of driveway access. At the time of application for construction permits, the applicant shall clearly delineate the agricultural buffer on the project plans.

- f. Prior to final inspection of construction permits for Parcel 4, the applicant shall construct a 4-6 foot solid block wall (not a wood fence), at or behind the 25-foot front setback line. The wall should be located along the entire width of the property with the exception of driveway access.
- g. **Prior to issuance of construction permits for all parcels**, the applicant shall show on the plans for all future residences sound reducing construction and inclusion of air conditioning or mechanical ventilation that would serve to reduce noise and dust impacts.
- h. **Prior to issuance of construction permits for all parcels**, the applicant shall show on the construction plans, preservation of the existing landscape screening if feasible. If the screening cannot be maintained, the applicant shall establish landscape screening at least 15 feet in depth and from six to 30 feet in height with a variety of evergreen vegetation on the project site.
- i. **Prior to final inspection of construction permits for all parcels**, the planting material at the time should be of sufficient density and maturity to provide an adequate screening for fine particulate matter.
- j. **Prior to final inspection of construction permits for all parcels**, the applicant shall replace fencing if removed from nursery property. The fencing should include protective barbed wire similar to that located to the south along Blume Street.

Air Quality

- k. **During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.
 - 1. Reduce the amount of disturbed area where possible,
 - 2. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Reclaimed (nonpotable) water should be used whenever possible.
 - 3. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
 - 4. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top load and top of trailer) in accordance with CVC Section 23114.
 - 5. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.



Geology and Soils

I. **Prior to initiation of tract improvements,** the applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP) and obtain a NPDES general permit from the Regional Water Quality Control Board (RWQCB). As applicable, all construction-related protection measures specified in the SWPPP shall be installed prior to work beginning.

Water

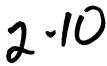
- m. **Prior to final inspection or occupancy (whichever occurs first)**, the following measures shall be applied to the proposed turf areas:
 - i. To maximize drought-tolerance and minimize water usage, warm season grasses, such as bermuda or buffalograss, shall be used;
 - ii. To minimize establishment of shallow roots, the following shall be avoided on turf areas, and provided in all applicable documents (e.g., educational brochure, CC&Rs, landscape plans): close mowing, overwatering, excessive fertilization, soil compaction and accumulation of thatch;
 - iii. Watering times shall be programmed for longer and less frequently rather than for short periods and more frequently.
- n. All water fixtures installed (including showers, faucets, etc.) that are not specified in the Uniform Plumbing Code shall be of an ultra low flow design, where applicable. Water using appliances (e.g., dishwashers, clothes washers, etc.) shall be of high water efficiency design. These shall be shown on all applicable plans **prior to permit issuance**.
- o. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
- p. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated January 13, 2005 from the California Department of Forestry (CDF)/County Fire Department are completed. Prior to occupancy or final inspection, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.

Covenants, Conditions and Restrictions

- 22. The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:
 - a. On-going maintenance of drainage basin fencing in perpetuity, if the basins are fenced.
 - b. On-going maintenance of drainage basin/adjacent landscaping in a viable condition on a continuing basis into perpetuity.
 - c. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
 - d. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.

Agricultural Resources

e. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded, and supplemental disclosure concerning the nature of the neighboring agricultural activities and hours of operation.



- f. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
- g. An agricultural buffer of 150 feet for Parcels 1 through 4 from the western edge of the nursery's dirt access road, **shall be shown on an additional map sheet**. This would result in a setback for residences of approximately 75 feet from the front property line. The buffer applies to future residential homes. The buffer is not intended to restrict other appropriate land uses such as detention basins or other uses that are not for human occupancy.

Parcel 4 option: In order to decrease the buffer required above, the applicant shall construct a 4-6 foot solid block wall (not a wood fence) at or behind the 25-foot front setback line. The wall shall continue along the entire width of the property with the exception of driveway access. At the time of application for construction permits, the applicant shall clearly delineate the agricultural buffer on the project plans.

- h. **Prior to final inspection of construction permits for Parcel 4,** the applicant shall construct a 4-6 foot solid block wall (not a wood fence), at or behind the 25-foot front setback line. The wall should be located along the entire width of the property with the exception of driveway access.
- i. **Prior to issuance of construction permits for all parcels**, the applicant shall show on the plans for all future residences sound reducing construction and inclusion of air conditioning or mechanical ventilation that would serve to reduce noise and dust impacts.
- j. Prior to issuance of construction permits for all parcels, the applicant shall show on the construction plans, preservation of the existing landscape screening if feasible. If the screening cannot be maintained, the applicant shall establish landscape screening at least 15 feet in depth and from six to 30 feet in height with a variety of evergreen vegetation on the project site.
- k. **Prior to final inspection of construction permits for all parcels**, the planting material at the time should be of sufficient density and maturity to provide an adequate screening for fine particulate matter.
- I. Prior to final inspection of construction permits for all parcels, the applicant shall replace fencing if removed from nursery property. The fencing should include protective barbed wire similar to that located to the south along Blume Street.

Air Quality

- m. **During construction/ground disturbing activities**, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.
 - 1. Reduce the amount of disturbed area where possible,
 - 2. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Reclaimed (nonpotable) water should be used whenever possible.
 - 3. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.



- 4. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top load and top of trailer) in accordance with CVC Section 23114.
- 5. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

Geology and Soils

n. **Prior to initiation of tract improvements,** the applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP) and obtain a NPDES general permit from the Regional Water Quality Control Board (RWQCB). As applicable, all construction-related protection measures specified in the SWPPP shall be installed prior to work beginning.

Water

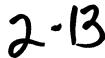
- o. **Prior to final inspection or occupancy (whichever occurs first)**, the following measures shall be applied to the proposed turf areas:
 - i. To maximize drought-tolerance and minimize water usage, warm season grasses, such as bermuda or buffalograss, shall be used;
 - ii. To minimize establishment of shallow roots, the following shall be avoided on turf areas, and provided in all applicable documents (e.g., educational brochure, CC&Rs, landscape plans): close mowing, overwatering, excessive fertilization, soil compaction and accumulation of thatch;
 - iii. Watering times shall be programmed for longer and less frequently rather than for short periods and more frequently.
- p. All water fixtures installed (including showers, faucets, etc.) that are not specified in the Uniform Plumbing Code shall be of an ultra low flow design, where applicable. Water using appliances (e.g., dishwashers, clothes washers, etc.) shall be of high water efficiency design. These shall be shown on all applicable plans prior to permit issuance.

Miscellaneous

- 23. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and sewer, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
- 24. A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.
- 25. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS USING COMMUNITY WATER AND SEWER

- 1. Community water and fire protection shall be obtained from the community water system.
- 2. Operable water facilities from an approved community water source shall be assured prior to the filing of the final map. A "final will serve" letter shall be obtained and submitted to the county Health Department for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Water main extensions, laterals to each parcel and related facilities (except well(s)) may be bonded for subject to the approval of county Public Works, the county Health Department and the public water utility.
- 3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by the county Health Officer.
- 4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and county Health Department destruction standards. The applicant is required to obtain a permit from the county Health Department.
- 5. When a potentially operational or operational auxiliary water supply in the form of an existing well(s) is located on the parcels created and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an <u>approved</u> cross-connection control device installed at the meter or property line service connection <u>prior to occupancy</u>. (Chapter 8.30, San Luis Obispo County Ordinance)
- 6. Sewer service shall be obtained from the community sewage disposal system.
- 7. Prior to the filing of the map a "final will serve" letter be obtained and submitted to the county Health for review and approval stating that community sewer system service is immediately available for connection to the parcels created. Sewer main extensions may be bonded for, subject to the approval of county Public Works and sewer district.
- 8. No residential building permits shall be issued until community sewers are operational and available for connection.
- 9. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
- 10. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
- 11. Any existing reservoir or drainage swale on the property shall be delineated on the map.



- 12. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
- 13. Required public utility easements shall be shown on the map.
- 14. Approved street names shall be shown on the map.
- 15. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
- 16. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
- 17. Any private easements on the property shall be shown on the map with recording data.
- 18. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to the filing of the map.
- 19. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
- 20. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
- 21. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.



2-14

COUNTY OF SAN LUIS OBISPO

FOR OFFICIAL USE ONLY (SF)

MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

| ENVIRONMENTAL DE | TERMINATION NO. <u>ED04-</u> | 368 | DATE: July 21, 2005 |
|---|--|--|--|
| PROJECT/ENTITLEME | NT: Benson Parcel Map | SUB2004-00211 | |
| APPLICANT NAME: ADDRESS: | Cathline Benson PO Box 483, Oceano, CA | A, 93475 | |
| CONTACT PERSON: | Westland Engineering, Ir | nc | Telephone: 805-541-2394 |
| parcels of 10,00 includes off-site r | 0 square feet each for the oad improvements to Blume | e purpose of sale a eand Grande Streets | an existing 1.2 acre parcel into five nd/or development. The project which will result in the disturbance Residential Single Family land use |
| | ect is located on the south oomo. The site is in the Sou | | Grande and Blume Streets in the blanning area. |
| C | ounty of San Luis Obispo ounty Government Center an Luis Obispo, CA 93408 | , Rm. 310 | nning & Building |
| OTHER DOTENTIAL DE | | | |
| OTHER POTENTIAL PE | RMITTING AGENCIES: R | egional Water Qual | ty Control Board |
| ADDITIONAL INFORMA | | n pertaining to this e | nvironmental determination may be |
| ADDITIONAL INFORMA obtained by cont | TION: Additional information acting the above Lead Ager | on pertaining to this en acy address or (805) | nvironmental determination may be |
| ADDITIONAL INFORMA obtained by cont | TION: Additional information acting the above Lead Ager | on pertaining to this en ncy address or (805) | 781-5600. 5 p.m. on August 4, 2005 |
| ADDITIONAL INFORMA obtained by cont- COUNTY "REQUEST F 20-DAY PUBLIC REVIE Notice of Determinat This is to advise that the Sar Responsible Agency appr | ATION: Additional information acting the above Lead Ager OR REVIEW" PERIOD EN W PERIOD begins at the total action of the second | on pertaining to this ender address or (805) DS AT Sime of public notified State Scribed project on | nvironmental determination may be 781-56005 p.m. on August 4, 2005 ication Clearinghouse No. |
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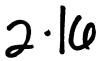
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COUNTY OF SAN LUIS OBISPO INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST

Project Title & No. Benson Tract Map ED04-368; SUB2004-00211

| ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study. | | | | | | |
|---|---|---|---|--|--|--|
| Aes Agr Air Bio | ☐ Recreation ☐ Transportation/Circulation ☐ Wastewater ☐ Water ☐ Land Use | | | | | |
| DETE | RMINATION: (To be com | pleted by the Lead Agency) | | | | |
| On the | e basis of this initial evalua | ation, the Environmental Coordinator | finds that: | | | |
| | The proposed project of NEGATIVE DECLARAT | COULD NOT have a significant ef ION will be prepared. | fect on the environment, and a | | | |
| | be a significant effect in | project could have a significant effect n this case because revisions in the ect proponent. A MITIGATED NEC | e project have been made by or | | | |
| | | MAY have a significant effect ACT REPORT is required. | on the environment, and an | | | |
| | unless mitigated" impac analyzed in an earlier addressed by mitigation | MAY have a "potentially significant on the environment, but at least o document pursuant to applicable lender measures based on the earlier are ENTAL IMPACT REPORT is require addressed. | ne effect 1) has been adequately egal standards, and 2) has been nalysis as described on attached | | | |
| | potentially significant e NEGATIVE DECLARAT mitigated pursuant to the | project could have a significant effect effects (a) have been analyzed a TON pursuant to applicable standard nat earlier EIR or NEGATIVE DECL t are imposed upon the proposed pro | dequately in an earlier EIR or ds, and (b) have been avoided or ARATION, including revisions or | | | |
| _ 10 | PHANIE FULLS | Ithan tull | 7/11/05 | | | |
| Prepa | red by (Print) | Signature | Dàte | | | |
| Sture | en Mc Westers | Ellen Car Environm | rroll, nental Coordinator 7/12/05 | | | |
| Reviev | wed by (Print) | Signature (f | or) Date | | | |



Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Request by Cathline Benson for a Vesting Tentative Tract map to subdivide an existing 1.2 acre parcel into five parcels of 10,000 square feet each for the purpose of sale and/or development. The project includes off-site road improvements to Blume and Grande Streets. The project will result in the disturbance of the entire 1.2 acre parcel. The proposed project is within the Residential Single Family land use category and is located on the southwestern corner of Grande and Blume Streets in the community of Nipomo. The site is in the South County (Inland) planning area.

ASSESSOR PARCEL NUMBER(S): 092-141-018 SUPERVISORIAL DISTRICT # 4

B. EXISTING SETTING

PLANNING AREA: South County (Inland), Nipomo

LAND USE CATEGORY: Residential Single Family

COMBINING DESIGNATION(S): None

EXISTING USES: Residence

TOPOGRAPHY: Nearly level to gently sloping

VEGETATION: Grasses

PARCEL SIZE: 1.2 acres+/-

SURROUNDING LAND USE CATEGORIES AND USES:

| North: Residential Multi-Family; residential | East: Agriculture; greenhouses |
|---|--|
| South: Residential Single Family; residential | West: Residential Single Family; residential |



C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

| 1. | AESTHETICS - Will the project: | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|-------------------------|--|----------------------------|--------------------------------------|-------------------------|--------------------------|
| a) | Create an aesthetically incompatible site open to public view? | | | \boxtimes | |
| b) | Introduce a use within a scenic view open to public view? | | | \boxtimes | |
| c) | Change the visual character of an area? | | | \boxtimes | |
| d) | Create glare or night lighting, which may affect surrounding areas? | | | \boxtimes | |
| e) | Impact unique geological or physical features? | | | \boxtimes | |
| f) | Other: | | | | |
| green surrou Impa | ct site is surrounded by existing resident induse operation to the east. Developme unding properties. ct. No significant visual impacts are expectation/Conclusion. No mitigation measure | nt of the prop | oosed parcels | tn, south and v | west, and a ent with the |
| 2. <i>A</i> | AGRICULTURAL RESOURCES - Will the project: | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
| a) | Convert prime agricultural land to non-agricultural use? | | | | \boxtimes |
| b) | Impair agricultural use of other property or result in conversion to other uses? | | | | |
| c) | Conflict with existing zoning or Williamson Act program? | | | | |
| d) | Other: | | | | |



As described in the NRCS Soil Survey, the "non-irrigated" soil class is "VI" , and the "irrigated soil class is "IV".

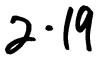
Impact. The project is located in a predominantly non-agricultural area with no commercial agricultural operations in the immediate vicinity.

Mitigation/Conclusion. No mitigation measures are necessary.

| 3. | AIR QUALITY - Will the project: | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|----|---|----------------------------|--------------------------------------|-------------------------|-------------------|
| a) | Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District? | | | | |
| b) | Expose any sensitive receptor to substantial air pollutant concentrations? | | | | |
| c) | Create or subject individuals to objectionable odors? | | | \boxtimes | |
| d) | Be inconsistent with the District's Clean Air Plan? | | | \boxtimes | |
| e) | Other: Cumulative | | \boxtimes | | |

Setting. The Air Pollution Control District has developed the CEQA Air Quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

Impact. As proposed, the project will result in the disturbance of the entire 1.2 acre parcel. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting any mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. In addition, each new residence will be subject to the South County Air Quality Mitigation fee, which is intended to partially mitigate the cumulative effects of new residential development within the South County planning area. This program funds several strategies within the South County to improve air quality and reduce single-occupant vehicles, by: attracting transit ridership through regional bus stop improvements; replacement of old diesel school buses, encouraging carpooling through park-and-ride lot improvements and ridesharing advertising; promoting the use of bicycles through bike lane installation; reducing dust through limited road paving of several unpaved roads; and by providing electronic information/services locally to reduce vehicle trip lengths.



In 1994, the South County Area Plan was adopted and associated EIR certified. As a part of that analysis, a cumulative assessment of the buildout impacts of the planning area was completed, which included the ultimate breakdown of the subject property as is currently proposed. While cumulative impacts to air quality was identified in the EIR as potentially significant and unavoidable, the findings recognized that the existing cumulative air quality mitigation program, combined with a slight improvement over the previous Area Plan buildout would offset some of these impacts.

Mitigation/Conclusion. Incorporation of the dust control measures during the construction phase of the project, a prohibition on developmental burning, as well as payment of the South County Air Quality Mitigation fee will reduce impacts to a level of insignificance.

| 4. | BIOLOGICAL RESOURCES - Will the project: | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable | | |
|------------------|---|----------------------------|--------------------------------------|-------------------------|-------------------------------|--|--|
| a) | Result in a loss of unique or special status species or their habitats? | | | | \boxtimes | | |
| b) | Reduce the extent, diversity or quality of native or other important vegetation? | | | \boxtimes | | | |
| c) | Impact wetland or riparian habitat? | | | | \boxtimes | | |
| d) | Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife? | | | | | | |
| e) | Other: | | | | | | |
| locate by the | Setting. The project site is located within the Santa Barbara vernal pool region. The project site is located within an area that has identified vernal pool habitat as determined by aerial survey mapping by the U.S. Fish and Wildlife Service. The project site is located within an area designated as a critical habitat for the vernal pool fairy shrimp. | | | | | | |
| Califo | following habitats were observed on the pornia Diversity database and other biolocats were identified: | | | | on the latest or sensitive | | |
| Plants | s: Located within 1 mile of parcel is | Sand Mesa M | anzanita (Arct | ostaphylos rud | is) | | |
| Wildli | fe: vernal pool fairy shrimp | | | | | | |

Mitigation/Conclusion. No significant biological impacts are expected to occur, and no mitigation measures are necessary.

Impact. A site visit conducted by planning department staff found that the site is predominatly nonnative grasses and ornamental landscaping with little to no native vegetation on the site. There were also no areas of standing water or areas where water would naturally pool, so the potential for a

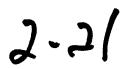
Santa Barbara vernal pool region

Habitats:

vernal pool on this site is remote.

2.20

| 5. | CULTURAL RESOURCES - Will the project: | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|------------|---|----------------------------|--------------------------------------|-------------------------|-------------------|
| a) | Disturb pre-historic resources? | | | | |
| b) | Disturb historic resources? | | | | |
| c) | Disturb paleontological resources? | | | | |
| d) | Other: | | | | |
| | ng. The project is located in an area hric structures are present and no paleontol | | | | |
| 15, 2 | act. A Phase I surface survey was conducted and action 2004). No evidence of cultural materials ontological resources are not expected. | | | | |
| _ | gation/Conclusion. No significant culture ation measures are necessary | al resource in | npacts are ex | rpected to occ | ur, and no |
| 6. | GEOLOGY AND SOILS - Will the project: | Potentially Significant | lmpact can & will be mitigated | Insignificant Impact | Not Applicable |
| a) | Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards? | | | | |
| b) | Be within a CA Dept. of Mines & Geology Earthquake Fault Zone (formerly Alquist-Priolo)? | | | | |
| c) | Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill? | | | | |
| d) | Change rates of soil absorption, or amount or direction of surface runoff? | | | | |
| e) | Include structures located on expansive soils? | | | | \boxtimes |
| f) | Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding | | | | |



| 6. | GEOLOGY AND SOILS - Will the project: | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|---|--|--|--|---|--|
| g) | Involve activities within the 100-year flood zone? | | | | \boxtimes |
| h) | Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards? | | | | |
| i) | Preclude the future extraction of valuable mineral resources? | | | | |
| j) | Other: | | | | |
| deve cons cons (appi ultrai | idered low to moderate. Active faulting roximately .65 miles north). The project mafic rock or soils. INAGE – The area proposed for developn | ly Area design potential dung is known to is not within ment is outside | nation. The iring a grocestst on or a known area | landslide risk cound-shaking near the subject containing se | potential is event is ect property erpentine or designation. |
| | closest creek (Nipomo Creek) from the property of the NRCS of the | | | | |
| | IMENTATION AND EROSION - The soil tano sand (0-9%) | ypes include: | (inland) | | (coastal) |
| | escribed in the NRCS Soil Survey, the soil k-swell characteristics. | surface is con | sidered to hav | e low erodibilit | y, and low |
| Pollu | ects involving more than one acre of disturtion Prevention Plan (SWPPP), which for er Quality Control Board is the local extens | cuses on contr | olling storm w | ater runoff. Th | |
| Impa | act. As proposed, the project will result in | the disturbance | e of the entire | 1.2 acre parcel | |
| will r | gation/Conclusion. Because the project value of the | above. Ther | e is no evide | | |
| 7. | HAZARDS & HAZARDOUS MATERIALS - Will the project: | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
| a) | Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances? | | | | |

2.22

| 7. | HAZARDS & HAZARDOUS MATERIALS - Will the project: | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable | | |
|------------------------|--|----------------------------|--------------------------------------|-------------------------|-------------------|--|--|
| b) | Interfere with an emergency response or evacuation plan? | | | | | | |
| c) | Expose people to safety risk associated with airport flight pattern? | | | | | | |
| d) | Increase fire hazard risk or expose people or structures to high fire hazard conditions? | | | | | | |
| e) | Create any other health hazard or potential hazard? | | | | \boxtimes | | |
| f) | Other: | | | | | | |
| Impa a sig Mitig | Impact. The project does not propose the use of hazardous materials. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan. Mitigation/Conclusion. No impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary. | | | | | | |
| 8. | NOISE - Will the project: | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable | | |
| a) | Expose people to noise levels that exceed the County Noise Element thresholds? | | | | | | |
| b) | Generate increases in the ambient noise levels for adjoining areas? | | | \boxtimes | | | |
| c) | Expose people to severe noise or vibration? | | \boxtimes | | | | |
| | | | | | | | |

Setting. The project is located in close proximity to an existing greenhouse operation which has high levels of noise as discussed above in the Agricultural Resources section of the Initial Study.

Impact. Noise from the existing greenhouse operation requires noise attenuation for the proposed residences and outdoor areas.

Mitigation/Conclusion. Incorporation of the agricultural buffers (including the options for Parcel 4)

Other:

d)

2-23

as discussed under the Agricultural Resources section of the Initial Study will reduce impacts to a level of insignificance.

| 9. | POPULATION/HOUSING - Will the project: | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|-------------------------|---|---------------------------------|--------------------------------------|-------------------------|--------------------------|
| a) | Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)? | | | | |
| b) | Displace existing housing or people, requiring construction of replacement housing elsewhere? | | | | |
| c) | Create the need for substantial new housing in the area? | | | \boxtimes | |
| d) | Use substantial amount of fuel or energy? | | | \boxtimes | |
| e) | Other: | | | | |
| lmpa | ation fee be imposed as a condition of appact. The project will not result in a need ace existing housing. | · | | , . | • |
| displ Mitig mitig | ace existing housing. gation/Conclusion. No significant population measures are necessary. Prior to | ulation and ho map recordati | using impacts on, the applic | are anticipate | ed, and no affordable |
| | ing mitigation fee of 3.5 percent of the add ty-recognized affordable housing included | • | • | is fee wiii not a | рріу то апу |
| 10. | PUBLIC SERVICES/UTILITIES - Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas: | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
| a) | Fire protection? | | \boxtimes | | |
| b) | Police protection (e.g., Sheriff, CHP)? | | \boxtimes | | |
| c) | Schools? | | \boxtimes | | |

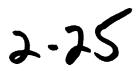
2-24

| 10. | PUBLIC SERVICES/UTILITIES - Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas: | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable | | |
|---|--|----------------------------|--------------------------------------|-------------------------|-------------------|--|--|
| d) | Roads? | | \boxtimes | | | | |
| e) | Solid Wastes? | | | | | | |
| f) | Other public facilities? | | | | | | |
| g) | Other: | | | | | | |
| prima appro | Setting. The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The closest CDF fire station (Nipomo CDF Station 20) is approximately 1 mile to the north. The closest Sheriff substation is in Oceano, which is approximately 10 miles from the proposed project. The project is located in the Lucia Mar Unified School District. | | | | | | |
| for th | ct. The project direct and cumulative impa e subject property that was used to estimate lative effect on circulation systems within the | te the fees in p | olace. In additi | | | | |
| fee p | Mitigation/Conclusion. Public facility (county) and school (State Government Code 65995 et sec) fee programs have been adopted to address the project's direct and cumulative impacts as well as South County Road Improvement fees, and will reduce the impacts to less than significant levels. | | | | | | |
| 11. | RECREATION - Will the project: | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable | | |
| a) | Increase the use or demand for parks or other recreation opportunities? | | | | | | |
| b) | Affect the access to trails, parks or other recreation opportunities? | | \boxtimes | | | | |
| c) | Other | | | | | | |
| Setting. The County Trails Plan shows that a potential trail goes through the proposed project, along Grande Street. A referral response from the Parks Division requires a trail along Grande Street to the County's A-1(x) standard. In addition, county ordinance requires the payment of a fee (Quimby) for the improvement or development of neighborhood or community parks. | | | | | | | |

Mitigation/Conclusion. Construction of the trail along Grande Street and the payment of the "Quimby" fee will adequately mitigate the project's impact on recreational facilities. No significant recreation impacts are anticipated, and no further mitigation measures are necessary.

Impact. The proposed project will not create a significant need for additional park or recreational

resources.



| 12. | TRANSPORTATION/ CIRCULATION - Will the project: | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|-----|--|----------------------------|--------------------------------------|-------------------------|-------------------|
| a) | Increase vehicle trips to local or areawide circulation system? | | \boxtimes | | |
| b) | Reduce existing "Levels of Service" on public roadway(s)? | | | \boxtimes | |
| c) | Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)? | | | | |
| d) | Provide for adequate emergency access? | | | \boxtimes | |
| e) | Result in inadequate parking capacity? | | | \boxtimes | |
| f) | Result in inadequate internal traffic circulation? | | | \boxtimes | |
| g) | Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)? | | | | |
| h) | Result in a change in air traffic patterns that may result in substantial safety risks? | | | | |
| i) | Other: | | | | |

Setting. Future development will access onto Grande and Blume Streets, both collector roads. The identified roadways are operating at acceptable levels of service. Referrals were sent to the Public Works Department. No significant traffic-related concerns were identified.

Impact. The proposed project is estimated to generate about 48 trips per day, based on the Institute of Traffic Engineer's manual of 9.57/unit. This small amount of additional traffic will not result in a significant change to the existing road service levels or traffic safety. The project, along with others in the area, will have a cumulative impact on transportation facilities. The project site is located in the South County Circulation fee area. New residences will be subject to the circulation fee, which is intended to partially mitigate the cumulative effects of additional traffic generated by new residential development within the South County planning area.

Mitigation/Conclusion. No significant traffic impacts were identified, and no mitigation measures are necessary beyond the payment of the South County Road Improvement fees at the time of future residential construction.

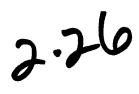
13. WASTEWATER - Will the project:

Potentially Significant

Impact can & will be mitigated

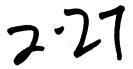
Insignificant Not Impact App

Not Applicable



| 13. | WASTEWATER - Will the project: | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable | |
|--|--|----------------------------|--------------------------------------|-------------------------|-------------------|--|
| a) | Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems? | | | \boxtimes | | |
| b) | Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)? | | | \boxtimes | | |
| c) | Adversely affect community wastewater service provider? | | | \boxtimes | | |
| d) | Other: | | | | | |
| Setting. The Environmental Health Division is in receipt of a valid intent to serve letter from the Nipomo Community Services District (NCSD) that states this system can accept and process the wastewater proposed from the project. Impact. The project proposes to use a community system as its means to dispose wastewater. Mitigation/Conclusion. No significant impacts are expected to occur, therefore, no mitigation measures are proposed or necessary. Potentially Impact can Insignificant Not Significant & will be Impact Applicable. | | | | | | |
| meas | sures are proposed or necessary. | | Impact can & will be | | | |
| meas | sures are proposed or necessary. | Potentially | Impact can | Insignificant | Not | |
| meas 14. | water - Will the project: | Potentially | Impact can & will be | Insignificant | Not | |
| 14. | WATER - Will the project: Violate any water quality standards? Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, | Potentially | Impact can & will be | Insignificant | Not | |
| 14. a) b) | WATER - Will the project: Violate any water quality standards? Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)? Change the quality of groundwater (e.g., saltwater intrusion, nitrogen- | Potentially | Impact can & will be | Insignificant | Not | |
| 14. a) b) | WATER - Will the project: Violate any water quality standards? Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)? Change the quality of groundwater (e.g., saltwater intrusion, nitrogenloading, etc.)? Change the quantity or movement of | Potentially | Impact can & will be | Insignificant | Not | |

Setting. The project proposes to use a community system (NCSD) as its water source. The



Environmental Health Division has reviewed the project for water availability and has determined that there is preliminary evidence that there will be sufficient water available to serve the proposed project. Based on available information, there is some concern regarding the long-term availability of water resources to serve existing and future development on the Nipomo Mesa.

The topography of the project is nearly level. The closest creek from the proposed development is approximately .65 miles away. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

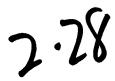
Impact. As proposed, the project will result in the disturbance of the entire 1.2 acre parcel. Based on the project description, as shown below, a reasonable "worst case" indoor water usage would likely be about 5.9 acre feet/year (AFY)

5 residential lots (w/primary (0.85 afy) & secondary (0.33 afy) X 5 lots) = 5.9 afy Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989)

Mitigation/Conclusion. Due to continued uncertainty regarding water availability within the Santa Maria Groundwater Basin, water conservation measures for future residential development and landscaping are proposed. Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality.

| 15. | LAND USE - Will the project: | Inconsistent | Potentially Inconsistent | Consistent | Not Applicable |
|------------|--|--------------|-----------------------------|------------|-------------------|
| a) | Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects? | | | | |
| b) | Be potentially inconsistent with any habitat or community conservation plan? | | | | \boxtimes |
| <i>c)</i> | Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project? | | | | |
| d) | Be potentially incompatible with surrounding land uses? | | \boxtimes | | |
| e) | Other: | | | | |

Setting/Impact. Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used). The only potential inconsistency was previously discussed in the



Agricultural Resources and Air Quality sections of this document relating to the existing greenhouse operation adjacent to the proposed parcels.

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

| Mitig the | ation/Conclusion. use | The discussed i | inconsistencies were buffers | e identified and on | l will be mitigat the | ed through property. |
|--------------|---|---|---|--------------------------------------|------------------------------------|------------------------|
| 16. | MANDATORY SIGNIFICANO project: | |)F Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
| a) | habitat of a fish of sustaining levels, | r wildlife specie threaten to elir ge of a rare or e najor periods o | quality of the envi es, cause a fish or a minate a plant or a endangered plant of f | wildlife popula nimal commur | ation to drop b nity, reduce th | elow self- e number |
| b) | Have impacts that considerable? ("incremental effections | are individually Cumulatively co ts of a project a he effects of pa and the effects | y limited, but cumuonsiderable" mean are considerable what projects, the effort | s that the hen viewed in | | |
| c) | Have environment adverse effects on indirectly? | | h will cause substa , either directly or | nntial | \boxtimes | |
| Cou Env | further information of inty's web site at fironmental Resourdelines/" for information | "www.sloplannin ces Evaluation | ig.org" under "Envi n System at "ht | ironmental Re tp://ceres.ca.go | view", or the | California |

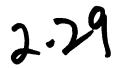
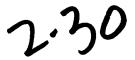


Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an \boxtimes) and when a response was made, it is either attached or in the application file:

| Cont | acted Agency | Re | sponse | | | |
|--------------------------------|---|------------------------|---|--|--|--|
| County Public Works Department | | | Attached | | | |
| \boxtimes | County Environmental Health Division | At | tached | | | |
| \boxtimes | County Agricultural Commissioner's Office | At | tached | | | |
| | County Airport Manager | No | ot Applicable | | | |
| | Airport Land Use Commission | No | ot Applicable | | | |
| \boxtimes | Air Pollution Control District | No | one | | | |
| | County Sheriff's Department | No | ot Applicable | | | |
| | Regional Water Quality Control Board | No | ot Applicable | | | |
| | CA Coastal Commission | No | ot Applicable | | | |
| | CA Department of Fish and Game | No | ot Applicable | | | |
| $\overline{\boxtimes}$ | CA Department of Forestry | | tached | | | |
| | CA Department of Transportation | No | ot Applicable | | | |
| $\overline{\boxtimes}$ | NipomoCommunity Service District | | tached | | | |
| $\overline{\boxtimes}$ | Other Parks Division | At | tached | | | |
| Ħ | Other | No | ot Applicable | | | |
| | ** "No comment" or "No concerns"-type responses | | | | | |
| | osed project and are hereby incorporated by refenation is available at the County Planning and Buildi | | | | | |
| \boxtimes | Project File for the Subject Application | | Area Plan | | | |
| Coun | ty documents | | and Update EIR | | | |
| \mathbb{H} | Airport Land Use Plans Annual Resource Summary Report | | Circulation Study her documents | | | |
| \boxtimes | Building and Construction Ordinance | $\overline{\boxtimes}$ | Archaeological Resources Map | | | |
| | Coastal Policies | \boxtimes | Area of Critical Concerns Map | | | |
| \boxtimes | Framework for Planning (Coastal & Inland) | \boxtimes | Areas of Special Biological | | | |
| \boxtimes | General Plan (Inland & Coastal), including all maps & elements; more pertinent elements | \boxtimes | Importance Map California Natural Species Diversity | | | |
| | considered include: | | Database | | | |
| | Agriculture & Open Space Element | \boxtimes | Clean Air Plan | | | |
| | Energy Element | | Fire Hazard Severity Map | | | |
| | Environment Plan (Conservation, Historic and Esthetic Elements) | X | Flood Hazard Maps Natural Resources Conservation | | | |
| | Housing Element | | Service Soil Survey for SLO County | | | |
| | Noise Element ■ | \boxtimes | Regional Transportation Plan | | | |
| | Parks & Recreation Element | | Uniform Fire Code | | | |
| \square | | \boxtimes | Water Quality Control Plan (Central Coast Basin – Region 3) | | | |
| | Real Property Division Ordinance | \boxtimes | GIS mapping layers (e.g., habitat, | | | |
| \boxtimes | Trails Plan | لاے | streams, contours, etc.) | | | |
| | Solid Waste Management Plan | П | Other | | | |



In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

Phase I Archaeological Inventory Survey, Cultural Resource Management Services, April 15, 2004

2.31

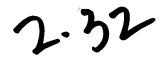
Exhibit B - Mitigation Summary Table

Agricultural Resources

- 1. An agricultural buffer of 150 feet for Parcels 1 through 4 from the western edge of the nursery's dirt access road, **shall be shown on an additional map sheet**. This would result in a setback for residences of approximately 75 feet from the front property line. The buffer applies to future residential homes. The buffer is not intended to restrict other appropriate land uses such as detention basins or other uses that are not for human occupancy.
- 2. At the time of application for construction permits, the applicant shall clearly delineate the agricultural buffer on the project plans.
- 3. **Prior to final inspection of construction permits for Parcel 4,** the applicant shall construct a solid block wall (not a wood fence), eight feet in height between Blume Street and future residences. The wall should be located along the entire eastern property boundary with the exception of driveway access.
- 4. **Prior to issuance of construction permits for Parcel 4,** the applicant shall show on the plans for all future residences sound reducing construction and inclusion of air conditioning or mechanical ventilation that would serve to reduce noise and dust impacts.
- 5. **Prior to issuance of construction permits for Parcel 4,** the applicant shall show on the construction plans, preservation of the existing landscape screening if feasible. If the screening cannot be maintained, the applicant shall establish landscape screening at least 15 feet in depth and from six to 30 feet in height with a variety of evergreen vegetation on the project site.
- 6. **Prior to final inspection of construction permits for Parcel 4,** the planting material at the time should be of sufficient density and maturity to provide an adequate screening for fine particulate matter.
- 7. **Prior to final inspection of construction permits for Parcel 4,** the applicant shall replace fencing if removed from nursery property. The fencing should include protective barbed wire similar to that located to the south along Blume Street.
- 8. **Prior to recordation of the final map,** the applicant shall show on an additional map sheet and include in any CC&Rs for the project, supplemental disclosure to purchasers of these properties concerning the nature of the neighboring agricultural activities and hours of operation and the County's Right to Farm Ordinance.

Air Quality

9. During construction/ground disturbing activities, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.



- a. Reduce the amount of disturbed area where possible.
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Reclaimed (nonpotable) water should be used whenever possible.
- c. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- d. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top load and top of trailer) in accordance with CVC Section 23114.
- e. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

Geology and Soils

10. **Prior to initiation of tract improvements**, the applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP) and obtain a NPDES general permit from the Regional Water Quality Control Board (RWQCB). As applicable, all construction-related protection measures specified in the SWPPP shall be installed prior to work beginning.

Recreation

11. **Prior to recordation of the final map**, the applicant shall construct an A-1(x) trail along the Grande Avenue frontage of the project.

Water

- 12. **Prior to final inspection or occupancy (whichever occurs first)**, the following measures shall be applied to the proposed turf areas:
 - a. To maximize drought-tolerance and minimize water usage, warm season grasses, such as bermuda or buffalograss, shall be used;
 - b. To minimize establishment of shallow roots, the following shall be avoided on turf areas, and provided in all applicable documents (e.g., educational brochure, CC&Rs, landscape plans): close mowing, overwatering, excessive fertilization, soil compaction and accumulation of thatch;
 - c. Watering times shall be programmed for longer and less frequently rather than for short periods and more frequently.
- 13. All water fixtures installed (including showers, faucets, etc.) that are not specified in the Uniform Plumbing Code shall be of an ultra low flow design, where applicable. Water using appliances (e.g., dishwashers, clothes washers, etc.) shall be of high water efficiency design. These shall be shown on all applicable plans **prior to permit issuance**.

2.33

Revised DATE: June 15, 2005

DEVELOPER'S STATEMENT FOR BENSON VESTING TENTATIVE TRACT MAP ED04-368 (SUB 2004-00211/TRACT 2643)

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All construction/grading activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

Agricultural Resources

1. An agricultural buffer of 150 feet for Parcels 1 through 4 from the western edge of the nursery's dirt access road, **shall be shown on an additional map sheet**. This would result in a setback for residences of approximately 75 feet from the front property line. The buffer applies to future residential homes. The buffer is not intended to restrict other appropriate land uses such as detention basins or other uses that are not for human occupancy. Parcel 4 option: In order to decrease the buffer required above, the applicant shall construct a 4-6 foot solid block wall (not a wood fence) at or behind the 25-foot front setback line. The wall shall continue along the entire width of the property with the exception of driveway access.

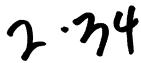
Monitoring: Compliance will be verified by the Department of Planning and Building and Public Works Department.

2. **At the time of application for construction permits**, the applicant shall clearly delineate the agricultural buffer on the project plans.

Monitoring: Compliance will be verified by the Department of Planning and Building.

3. **Prior to final inspection of construction permits for Parcel 4**, the applicant shall construct a 4-6 foot solid block wall (not a wood fence), at or behind the 25-foot front setback line. The wall should be located along the entire width of the property with the exception of driveway access.

Monitoring: Compliance will be verified by the Department of Planning and Building.



4. **Prior to issuance of construction permits for all parcels,** the applicant shall show on the plans for all future residences sound reducing construction and inclusion of air conditioning or mechanical ventilation that would serve to reduce noise and dust impacts.

Monitoring: Compliance will be verified by the Department of Planning and Building.

5. **Prior to issuance of construction permits for all parcels**, the applicant shall show on the construction plans, preservation of the existing landscape screening if feasible. If the screening cannot be maintained, the applicant shall establish landscape screening at least 15 feet in depth and from six to 30 feet in height with a variety of evergreen vegetation on the project site.

Monitoring: Compliance will be verified by the Department of Planning and Building.

6. **Prior to final inspection of construction permits for all parcels**, the planting material at the time should be of sufficient density and maturity to provide an adequate screening for fine particulate matter.

Monitoring: Compliance will be verified by the Department of Planning and Building.

7. **Prior to final inspection of construction permits for all parcels,** the applicant shall replace fencing if removed from nursery property. The fencing should include protective barbed wire similar to that located to the south along Blume Street.

Monitoring: Compliance will be verified by the Department of Planning and Building.

8. **Prior to recordation of the final map**, the applicant shall show on an additional map sheet and include in any CC&Rs for the project, supplemental disclosure to purchasers of these properties concerning the nature of the neighboring agricultural activities and hours of operation and the County's Right to Farm Ordinance.

Monitoring: Compliance will be verified by the Department of Planning and Building and Public Works Department.

Air Quality

- During construction/ground disturbing activities, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.
 - a. Reduce the amount of disturbed area where possible,
 - b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Reclaimed (nonpotable) water should be used whenever possible.
 - c. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
 - d. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top load and top of trailer) in accordance with CVC Section 23114.
 - e. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

Monitoring: All particulate (dust) mitigation measures will be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to implement the dust control program. Compliance will be verified by the APCD in consultation with the Department of Planning and Building.

Geology and Soils

10. **Prior to initiation of tract improvements**, the applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP) and obtain a NPDES general permit from the Regional Water Quality Control Board (RWQCB). As applicable, all construction-related protection measures specified in the SWPPP shall be installed prior to work beginning.

Monitoring: Compliance will be verified by the Department of Planning and Building and Public Works Department.

2-36

Recreation

11. **Prior to recordation of the final map**, the applicant shall construct an A-1(x) trail along the Grande Avenue frontage of the project.

Monitoring: Compliance will be verified by the Department of Planning and Building and Parks Division.

Water

- Prior to final inspection or occupancy (whichever occurs first), the following measures shall be applied to the proposed turf areas:
 - To maximize drought-tolerance and minimize water usage, warm season grasses, such as bermuda or buffalograss, shall be used;
 - To minimize establishment of shallow roots, the following shall be avoided on turf areas, and provided in all applicable documents (e.g., educational brochure, CC&Rs, landscape plans): close mowing, overwatering, excessive fertilization, soil compaction and accumulation of thatch;
 - Watering times shall be programmed for longer and less frequently rather than for short periods and more frequently.

Monitoring: Compliance will be verified by the Department of Planning and Building.

All water fixtures installed (including showers, faucets, etc.) that are not specified in the Uniform Plumbing Code shall be of an ultra low flow design, where applicable. Water using appliances (e.g., dishwashers, clothes washers, etc.) shall be of high water efficiency design. These shall be shown on all applicable plans **prior to permit issuance.**

Monitoring: Compliance will be verified by the Department of Planning and Building.

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

ignature(s) of Owner(s)

Date

4/6/05

Name(s) (Print)



VICTOR HOLANDA, AICP DIRECTOR

WEBSITE: http://www.slocoplanbldg.com

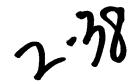
| | THIS IS A NEW PROJEC | TREFERRAL |
|------------------|--|--|
| DATE: | 12/22/04 | 2 |
| - Pom | PW | Denson |
| FROM! | (Please direct response to the above) | SUB 2004-00211 Project Name and Number |
| | Development Review Section (Phone: | 8-2009 *OR ASK THE SWITCH- BOARD FOR THE PLANNER |
| PROJECT D | DESCRIPTION: The Map. 5 | lots. APN: 092-141-018 |
| 1.2 | Acres. Off Blume S. | t. Nipomo Each lot |
| WILL K | De approx. 10,000 84 |) ++. |
| Return this le | tter with your comments attached no later than: | 1/18/05 |
| PART I | IS THE ATTACHED INFORMATION ADEQUA | ATE FOR YOU TO DO YOUR REVIEW? |
| | we must accept the project | s what else you need. We have only 30 days in which et as complete or request additional information.) |
| PART II | ARE THERE SIGNIFICANT CONCERNS, PROREVIEW? | BLEMS OR IMPACTS IN YOUR AREA OF |
| | NO (Please go on to Part III) YES (Please describe impacts, reduce the impacts to less | along with recommended mitigation measures to s-than-significant levels, and attach to this letter.) |
| PART III | annexal you recommend to be incorporate | OR FINAL ACTION. Please attach any conditions of d into the project's approval, or state reasons for OMMENT," PLEASE INDICATE OR CALL. |
| Thecom | MANNER & Approved - Stock Conditions ATTACH | IED, INDIVIDUAL DININGE BASIN AVE |
| Dis cour | ARE THESE Appear to be AT High | point on lot - How will THE WORK? |
| AG Bu | 60 " " " " " " " " " " " " " " " " " " " | ites? retaining WHI & BAVFICADO IN |
| Blume 5+ | to be removed and THE street Course | THEOUGH A COMBINED LOT 4- LOT 5 |
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| · | COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO | • CALIFORNIA 93408 • (805) /81-5600 |

FAX: (805) 781-1242

EMAIL: planning@co.slo.ca.us



County of San Luis Obispo • Public Health Department



Environmental Health Services

2156 Sierra Way • P.O. Box 1489 San Luis Obispo, California 93406 (805) 781-5544 • FAX (805) 781-4211

> Gregory Thomas, M.D., M.P.H. County Health Officer Public Health Director

> > Curtis A. Batson, R.E.H.S. Director

December 15, 2004

Westland Engineering, Inc. 3480 South Higuera St., Suite 130 San Luis Obispo, CA 93401

ATTN:

MANUEL PALMA/DAEDRE LARRISON

RE:

TENTATIVE TRACT MAP 2643 (BENSON)

Water Supply and Wastewater Disposal

This office is in receipt of a **preliminary** will serve letter from the Nipomo Community Services District to provide water and sewer services to the above noted tract map. A final will serve letter, with the map number, and a full size final map will be required prior to recordation. Be advised that water and sewer improvements will be built to each parcel or a monetary bond provided, to delay construction, prior to recordation.

TRACT 2643 is approved for Health Agency subdivision map processing.

LAURIE A. SALO, R.E.H.S.

Senior Environmental Health Specialist

Laurie a. Salo

Land Use Section

c Kami Griffin, County Planning NCSD



COUNTY OF SAN LUIS OBISPO 2.39

Department of Agriculture/Measurement Standards

2156 SIERRA WAY, SUITE A • SAN LUIS OBISPO, CALIFORNIA 93401-4556 ROBERT F. LILLEY (805) 781-5910 AGRICULTURAL COMMISSIONER/SEALER FAX (805) 781-1035 AgCommSLO@co.slo.ca.us

DATE:

May 17, 2005

TO:

Stephanie Fuhs, Project Manager

FROM:

Lynda L. Auchinachie, Agriculture Department

SUBJECT:

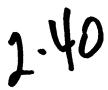
Benson Tract 2643 SUB2004-00211 (1036)

Summary

The Agriculture Department's review finds that the proposal to subdivide a 1.2 acre project site into five parcels ranging in size from approximately 10,000 to 12,000 square feet each for residential development within the Residential Single Family land use category will have less than significant impacts to agricultural resources or operations with the incorporation of the following mitigation measures into the project.

Recommended Mitigation Measures

- 1. An agricultural buffer of 150 feet for Parcels 1 through 4 from the western edge of the nursery's dirt access road. This would result in a setback for residences of approximately 75 feet from the front property line. The buffer applies to future residential homes. The buffer is not intended to restrict other appropriate land uses such as detention basins or other uses that are not for human occupancy. PARCEL 4 OPTION
- 1. Construct a solid block wall (not a wood fence), eight feet in height between Blume Street and future residences. The wall should be located along the entire eastern property boundary with the exception of driveway access.
- 2. All future residences should incorporate sound reducing construction and inclusion of air conditioning or mechanical ventilation that would serve to reduce noise and dust impacts.
- 3. Preserve the existing landscape screening if feasible. If the screening cannot be maintained, establish landscape screening at least 15 feet in depth and from six to 30 feet in height with a variety of evergreen vegetation on the project site. The planting material at the time of occupancy should be of sufficient density and maturity to provide an adequate screening for fine particulate matter.
- 4. Replace fencing if removed from nursery property. The fencing should include protective barbed wire similar to that located to the south along Blume Street.
- 5. Provide supplemental disclosure to purchasers of these properties concerning the nature of the neighboring agricultural activities and hours of operation and the County's Right to Farm Ordinance.



The comments and recommendations in our report are based on policies in the San Luis Obispo County Agriculture and Open Space Element, the Land Use Ordinance, the California Environmental Quality Act (CEQA), and on current departmental policy to conserve agricultural resources and to provide for public health, safety and welfare while mitigating negative impacts of development to agriculture.

Project Description and Agricultural Setting

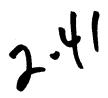
The applicant is requesting to subdivide a 1.2-acre project site into five parcels ranging in size from approximately 10,000 to 12,000 square feet each for residential development within the Residential Single Family land use category. A single-family residence is currently established on one of the proposed parcels. The project site is located on the southwestern corner of Grand Avenue and Blume Street, in the community of Nipomo.

A ten-acre cut flower nursery operation is located directly east of the project site within the Agriculture land use category. The nursery operation consists of several greenhouses, outdoor growing grounds, offices, packing/loading/delivery facilities, and other uses accessory to the floral business. Activities that may occur throughout the day and night include, but are not limited to, flower and plant cultivation, tractor/truck operation, heating and refrigeration (utilizing diesel generators, boilers, electric engines etc.), agricultural chemical application, fan operations, packing and loading, employee arrival/departures, and intensive night lighting. Many of these activities generate noise that is particularly noticeable during night and early morning hours. Nursery development located in close proximity to the project site includes greenhouses, a dirt access road, and a drainage basin, dense vegetative screening, and fencing.

Impacts to Adjacent Agricultural Lands

One of the primary goals of the Agriculture and Open Space Element is to ensure the long-term sustainability and protection of agricultural resources and operations. Part of the land use review process is to identify potential land use conflicts between proposed development and existing production agriculture.

The adjacent greenhouse/nursery facility is an intensive agricultural operation. The proposed residences could be incompatible with the greenhouse/nursery operation because of the noise associated with the operations, night lighting, dust, and odors. Additionally, future residential occupants could impact the nursery operation from trespassing and associated property damage, increased liability issues, constraints on performing agricultural practices in a timely manner, and complaints. The proposed project road improvements appear to require the removal of existing mature vegetative screening and fencing. The removal of these nursery features could result in increased potential for trespassing and liability issues for the operator as well as increased impacts to existing and future residences from dust generated at the nursery. To mitigate these impacts to less than significant levels, the following mitigation measures should be incorporated into the project.



Recommended Mitigation Measures

The Agriculture and Open Space Element, AGP 17: Agricultural Buffers, promotes the protection of land with agricultural production using buffers in accordance with the agricultural buffer policy Appendix D.

The buffer range for greenhouse nurseries is 100-300 feet. For this project a buffer of 150 feet is recommended for Parcels 1 through 4. This would result in a setback for residences of approximately 75 feet from the front property line. This recommended buffer would preclude development on Parcel 4 and require the proposed drainage basins on Parcels 1 through 3 to be relocated within the front setback. Previous projects adjacent to this nursery have successfully mitigated incompatibilities by installing an eight-foot high solid wall when the buffer would preclude development. Based on the unique circumstances associated with development at this site and in this area, the Agriculture Department would support similar alternative mitigation in-lieu of the recommended buffer for Parcel 4. The recommended mitigation for this project includes the following:

1. An agricultural buffer of 150 feet for Parcels 1 through 4 from the western edge of the nursery's dirt access road. This would result in a setback for residences of approximately 75 feet from the front property line. The buffer applies to future residential homes. The buffer is not intended to restrict other appropriate land uses such as detention basins or other uses that are not for human occupancy.

PARCEL FOUR OPTION

- 1. Construct a solid block wall (not a wood fence), eight feet in height between Blume Street and future residences. The wall should be located along the entire eastern property boundary with the exception of driveway access.
- 2. All future residences should incorporate sound reducing construction and inclusion of air conditioning or mechanical ventilation that would serve to reduce noise and dust impacts.
- 3. Preserve the existing landscape screening if feasible. If the screening cannot be maintained, establish landscape screening at least 15 feet in depth and from six to 30 feet in height with a variety of evergreen vegetation on the project site. The planting material at the time of occupancy should be of sufficient density and maturity to provide an adequate screening for fine particulate matter.
- 4. Replace fencing if removed from nursery property. The fencing should include protective barbed wire similar to that located to the south along Blume Street.
- 5. Provide supplemental disclosure to purchasers of these properties concerning the nature of the neighboring agricultural activities and hours of operation and the County's Right to Farm Ordinance.

If we can be of further assistance, please call 781-5914.





MOCOPLARIIG SULDO

CDF/San Luis Obispo County Fire Department

635 N. Santa Rosa • San Luis Obispo • California 93405

January 13, 2005

County of San Luis Obispo Department of Planning and Building County Government Center San Luis Obispo, CA 93408

Subject: Tract Map Project # Benson/SUB 2004-00211

Dear South County Team,

I have reviewed the referral for the tract map plans for the proposed five parcel subdivision project located at 350 Blume St., Nipomo. This project is located approximately 68 minutes from the closest CDF/San Luis Obispo County Fire Station. The project is located in State Responsibility Area for wildland fires. It is designated a High Fire Severity Zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The following conditions will apply to this project:

Access Road

An access road must be constructed to CDF/County Fire standards when it serves more than one parcel; access to any industrial or commercial occupancy, or vehicular access to a single parcel with more than two buildings or four or more dwelling units.

 The maximum length of a dead end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:

Parcels less than 1 acres
 Parcels 1 acre to 4.99 acres
 Parcels 5 acres to 19.99 acres
 Parcels 20 acres or larger

- The road must be 18 feet in width and an all weather surface.
- If the road exceeds 12% it must have a non-skid paved surface.
- Roads may not exceed 16% without special mitigation and shall not exceed 20%.

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- All roads must be able to support a 20 ton fire engine.
- Road must be named and addressed including existing buildings.
- A turnaround must be provided if the road exceeds 150 feet.
- Vertical clearance of 13'6" is required.

Driveway

A driveway is permitted when it serves no more than two buildings, with no more than 3 dwelling units or a single parcel, and any number of accessory buildings.

- Driveway width for high and very high fire severity zones:
 - o 0-49 feet, 10 feet is required
 - o 50-199 feet, 12 feet is required
 - o Greater than 200 feet, 16 feet is required
- Turnarounds must be provided if driveway exceeds 300 feet.

Water Supply

The following applies:

| ☑This project will require a community water system which meets the minimum requirements of the Appendix III-A & III-B of the California Fire Code. |
|---|
| A water storage tank with a capacity determined by a factor of the cubic footage of the structure will be required to serve each existing and proposed structure. A residential fire connection must be located within 50 to 150 feet of the buildings. |

Fuel Modification

- Vegetation must be cleared 10 feet on each side of the driveways and access road.
- Maintain around all structures a 30 foot firebreak. This does not include fire resistive landscaping.
- Remove any part of a tree that is within 10 feet of a chimney.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- Maintain the roof of any structure free of leaves, needles or other flammable material.

If I can provide additional information or assistance, please call 543-4244.

Sincerely,

Gilbert R. Portillo Fire Inspector

ce: Cathline Benson, owner Westland Engineering, agent

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING NERAL SERVICES

| | 2004 DEC 23 AM II: 00 | DICTOR HOLLETOR |
|-----------------------|--|---|
| OBISPO. | THIS IS A NEW PROJECT REFERRAL | \$10 CO p |
| DATE: | 12/22/04 | SLO CO PLANINING & BLOG |
| TO: | Panes | Jenson 3 2004-00211 |
| FROM: | (Please direct response to the above) | 3 2004-00211 |
| | Development Review Section (Phone: 788-2009 | ne and Number *OR ASK THE SWITCH- (BOARD FOR THE PLANNETS) |
| PROJECT D | DESCRIPTION: TR Map. 5 Lots. A | PN: 092-141-018 |
| 1.2 | Acres. Off Blume St., Nipo | mo Each lot |
| MILL | De approx. 10,000 sg.tt. | |
| Return this let | tter with your comments attached no later than: | 5 |
| PART I | IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO | DO YOUR REVIEW? |
| | YES (Please go on to Part II) NO (Call me ASAP to discuss what else you nee we must accept the project as complete or re | ed. We have only 30 days in which equest additional information.) |
| PART II | ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPAREVIEW? | CTS IN YOUR AREA OF |
| | NO (Please go on to Part III) YES (Please describe impacts, along with recommendate the impacts to less-than-significant less-than-s | evels, and attach to this letter. |
| PART III | INDICATE YOUR RECOMMENDATION FOR FINAL ACTION approval you recommend to be incorporated into the project recommending denial. IF YOU HAVE "NO COMMENT," PLE | g's approval, or state reasons to |
| () R | Egenie Quimby and applicable | Bulding Durius |
| (Z) R | reguie a trail to Cornty's A-1 (| x) along (orander. |
| 102/10 | 105 JAN Di Leo | 4089 |
| <u>()()10</u> Date | Name SAN DE CEO | Phone |
| | | |

M:\PI-Forms\Project Referral - #216 Word.doc

 San Luis Obispo COUNTY GOVERNMENT CENTER

Revised 4/4/03

CALIFORNIA 93408 • (805) 781-5600

WEBSITE: http://www.slocoplanbldg.com FAX: (805) 781-1242 EMAIL: planning@co.slo.ca.us

NIPOMO COMMUNITY

BOARD MEMBERS

LARRY VIERHEILIG, PRESIDENT
ED EBY, VICE PRESIDENT
MICHAEL WINN, DIRECTOR
CLIFFORD TROTTER, DIRECTOR
JUDITH WIRSING, DIRECTOR



SERVICES DISTRICT

PRINCIPAL STAFF

MICHAEL LEBRUN, GENERAL MANAGER
LISA BOGNUDA, ASSISTANT ADMINISTRATOR
DAN MIGLIAZZO, UTILITY SUPERVISOR
JON SEITZ, GENERAL COUNSEL

2.45

Celebrating 40-years of Service 1965-2005

148 SOUTH WILSON STREET

POST OFFICE BOX 326

NIPOMO, CA 93444 - 0326

(805) 929-1133 FAX (805) 929-1932 Website address; www.nipomocsd.com

RECEIVED

JAN 0 7 2005

Planning & Bldg

January 5, 2005

San Luis Obispo Co. Planning South County Planning Team County Government Center San Luis Obispo, CA 93408

SUBJECT: SUB 2004-00211 BENSON

Dear South County Planning Team,

The subject project will require sewer and water service from Nipomo Community Services District. Development that increases density above that allowed by the South County Area Plan, Inland, May 2002, requires supplemental water.

Once a complete District application is filed, the Board will consider service for this project at a regularly scheduled meeting.

If you have any questions, please don't hesitate to call.

Sincerely,

NIPOMO COMMUNITY SERVICES DISTRICT

Michael FeBrun

Michael LeBrun
General Manager

General Manager

Enclosure

New Project Referral, SUB 2004-00211

T:\Documents\LAND DEVELOPMENT\TRACTS\APN\092-141-018 Benson.doc

SAN LUIS OBISPO COUNTY

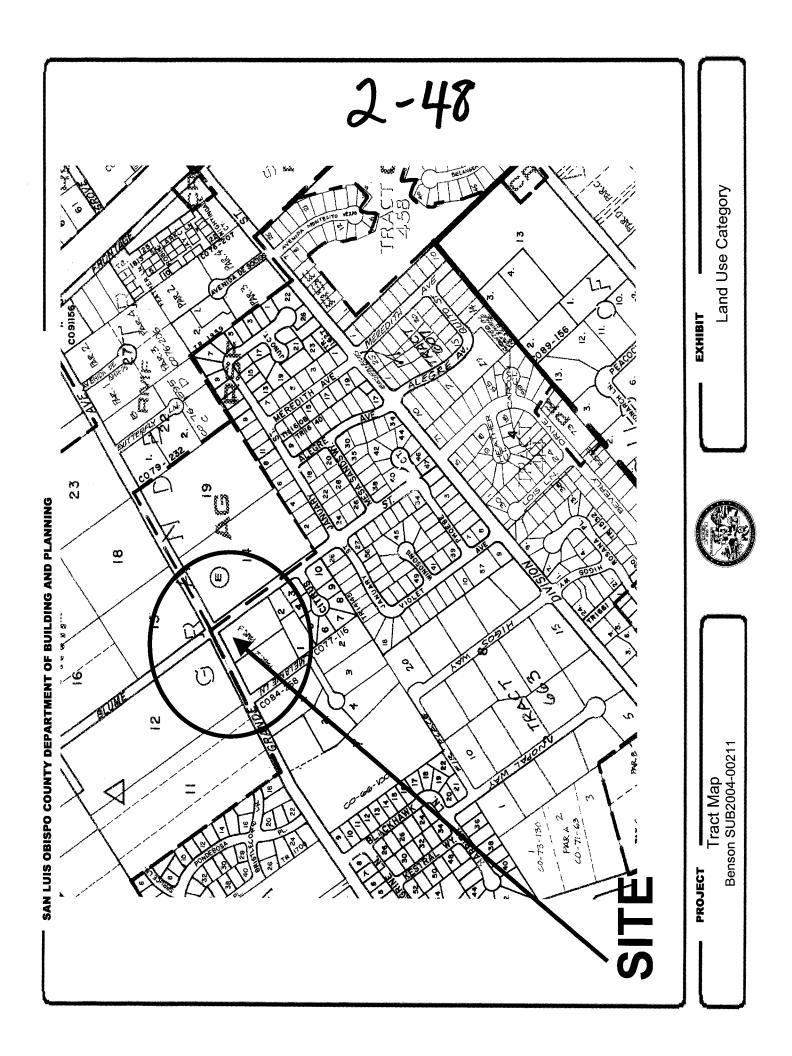


DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP DIRECTOR

| ORISPC | THIS IS A NEW PROJE | ECT REFERRAL |
|-------------|---|--|
| DATE: | 12/22/04 | \mathcal{D} . |
| TO: | Misomo CSD | Denson |
| FROM: | (Please direct response to the above) | Benson SUB 2004-00211 |
| | | Project Name and Number *OR ASK THE SWITCH- BOARD FOR THE PLANNER |
| | Development Review Section (1 mars) | 5 Lots APN: 092-141-018 |
| PROJECT | DESCRIPTION: THE BULLING S | it. Nipomo Each lot |
| Will | be apporx 10,000 so | g.ft. |
| | | |
| Return this | letter with your comments attached no later than: | 1/18/05 |
| PART I | IS THE ATTACHED INFORMATION ADEQU | JATE FOR YOU TO DO YOUR REVIEW? |
| | YES (Please go on to Part II) | |
| PART II | | OBLEMS OR IMPACTS IN YOUR AREA OF |
| | NO (Please go on to Part III YES (Please describe impact reduce the impacts to le | s, along with recommended mitigation measures to ess-than-significant levels, and attach to this letter.) |
| PART III | INDICATE YOUR RECOMMENDATION I | FOR FINAL ACTION. Please attach any conditions of the into the project's approval, or state reasons for COMMENT," PLEASE INDICATE OR CALL. |
| | | RECEIVED |
| | | |
| | | JAN 03 2005 |
| | | SERVICES DISTRICT |
| | N | Phone |
| Date | Name | |
| | | |

Vicinity Map **EXHIBIT** A STATE OF THE PARTY OF THE PAR SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING Benson SUB2004-00211 Tract Map **PROJECT**



2-49



EXHIBIT

Aerial

Tract Map Benson SUB2004-00211 PROJECT

